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18 COMPANY

19
20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA
22 SAN FRANCISCO DIVISION

23 DANAHER CORPORATION &
24 SUBSIDIARIES PENSION PLAN and
25 NORTHERN TRUST COMPANY,

26 Plaintiffs,

27 vs.

28 NORMA BALLARD,

Defendant.

Case No. C 05-01968 PJH

**NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE ; AND ORDER**

Fed. R. Civ. Proc. Rule 41(a)(1)

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NOTICE IS HEREBY GIVEN that, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, the above-entitled action is hereby voluntarily dismissed without prejudice by Plaintiffs.

DATED: February 21, 2006

FARELLA BRAUN & MARTEL LLP

Attorneys for Plaintiffs
DANAHER CORPORATION &
SUBSIDIARIES PENSION PLAN and
NORTHERN TRUST COMPANY



PROOF OF SERVICE

I, Katherine Small, declare:

I am a citizen of the United States and employed in San Francisco County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is Russ Building, 30th Floor, 235 Montgomery Street, San Francisco, California 94104. On February 21, 2006, I caused to serve a copy of the within document(s):

**NOTICE OF VOLUNTARY DISMISSAL WITHOUT
PREJUDICE**

- by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below.
- by placing the document(s) listed above in a sealed Federal Express envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a agent for delivery.
- by causing to personally deliver the document(s) listed above by Specialized Legal to the person(s) at the address(es) set forth below.

Norma Ballard
334 Waikiki Circle
Union City, CA 94587

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 21, 2006, at San Francisco, California.

/s/

KATHERINE SMALL